(1)

UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE CASE 1: 06-CV- 723 (GMS) Judge Gregory M. Sleet

PETER CHRISTIAN CHARLES ROPER -15C ALBERT St. APT 20, LAS Vegas

/ 150 Albert St. Las Vegas Nevada 89109

Nevada 89/09 2.C/o 158 Albert St., Las Vegas Nevada 89109 (909) 522 - 2648 U.S. A. 3 JURYTRIAL DOMANDED. GARDEN RIDGE CORPORATION ATRIUM Houston, Young Connucy, STARGET 1000 West ST, WILMINGTON DELA MONE Pauline Mongray, Scan Greecht, Pathibarry, Attameys For garben Ridge. 9 PETER CHRISTIAN CHARLES ROPER'S MOTION TO DENY GARDEN 10 DISMISS, AND REQUEST FOR JUNY TRINK 11 MOTION TO 12 PETER CHRISTIAN CHARLES ROPER patriotic U.S. 13 CITIZEN request the Garden Ridge Motion to dismiss be denied. 14 PETER CHRISTIAN CHARLES ROPER OWNER OF U.S. PATENT 15 4,713,909 ' INDOOR AND OUTDOOR CLOTH FARM, A VALID PATENT, 16 and 5 valid U. S, Copyrights TXU 69-514 "UNITED SPACE OF 17 AMERICA.... REQUESTS A JURY TRIAL WITHIN THE SEVENTH AMEND 18 MENT TO THE U.S. CONSTITUTION to have Garden Ridge Pay him COMPENSATION for infringing his U.s Patent 19 20 in violation of Title 35 U.S.C 271, 284, and 5 Copyrights in Title 17 U.S.C. 504. by making and selling, and Commercially 22 advertising Floral Sponge Foam Potted Products and 23 binations of silk cloth flowers from 1978 to 2007, 28 years 24 The Floral Sponge Foam protested in Peter Christian Ropers 1,23,4 and fig 9 numerals/ pages mungs pages. (ExHIBITI, Pages) 25 U.S. PATENT 4,713,909 Claims

ALSO IN DEALING & Pageg.

, and s his Copyrights Txu 69-514) TXU 141-593, EXHIBATZ, Page 11. 10-00

26

1	PETER CHRISTIAN CHARLES ROPER 'S U.S. PATENT
2	4,713,909 in Exhibit 1, page 10 clearly states,
3	" in FIG 9 there is shown another design 44
4	of the Invention that includes aPOT 45 THE
5	OUTER SHELL INCLUDES A SPONGE LINING 51 9(1ines 30-36)
6	"The SPONGE LINING 51 stated in Peter Christian Roper'5
7	U.S PATENT 4,713,900 is THE FUNCTIONAL EQUIVALENT OF THE
8	FLORAL SPONGE FOAM MADE AND SOLD BY GARDEN RIDGE
4	and is also stated in CLAIMS 1, 2, 3, 4 of his PATENT.
10	CLAIM 1 States, " A Plant CULITIVATOR com-
11	prising a cloth structure ADAPTED TO Hold Cultivating
12	Material for growing plants WITH MEANS FOR VARYING
13	RETENTION OF IRRIGATING LIQUID in said cultivator in
14	combination with means for supporting said structure
15	in horizontal position at varios elevations above a
16	base surface wherein said structure includes a plurality
17	of vertically spaced superimposed sections,
18	Thé Floral Sponge Foam is THE FUNTIONAL EQUIVALENT For
19	THE ADAPTATION TO HOLD CULTIVATING MATERIAL for
20 .	GROWING PLANTS WITH MEANS FOR VARYING RETENTION OF
21	IRRIGATING LIQUID, DESCRIBED HERE, IN CLAIM 1 of
22.	Peter ROPER's U.S. PATENT 4,713,909 Granted by The
23	U.S. Patent Office on December 22,1987 Exhibit, page 10, Page 4 Denumings
24	This proves that Garden Ridge has Infringed The Claims
25	This proves that Garden Ridge has Infringed The Claims 1,2,3,4 of his Patent and should compensate him #5 MKHON in Title 35 U.S.C. SEC. 284.271 for making and selling
26	in Title 35 U.S.C. SEC. 284,271 for making and selling
27	Floral Foam Sponge POTTED Products; and Cloth Silk
28	Flower combinations in 44 Stores in 13 States for 28 years.

-	Christo 2 States, A Cultivator as in
2,	CLAIM1 second said means comprise movable supports
3	being driven by a mechanism to positiOn said sections
4	at variable elevations, wherein said supports are
5	mounted on vertical members . " Claim 2
6	also sates that Claim 2 Covers Claim 1 and has also,
7	THE MEANS FOR VARYING RETENTION OR Floral FOAM
8	SPONGE LINING 51 in the specifications of his.
9	Peter ROPER's U.S, PATENT 4,713,909 Exhibit, Pages, pages.
10	Pet CHRISTIAN CHARLES ROPER'S CPYRIGHT TXu141-593 /
T 1	COPYRIGHT TXU 69-514 in Exhibit 2 , Page // ,also,
12	includes and describes an covers the POTTED FLORAL
13	SPONGES AND Proves That Garden Ridge has also
14	infringed his Copyrights Txu69-514 and should
15	Compensate him \$5 MILLION Dollars within Title 17
16	SEC .504. Copyright Txu 69-514, and Copyright Txu141-593
17	also state that the Sponge Foam could also be usedin
18	The FLORAL SPONGE POTED ARRANGEMENTS AND ALSO INCLUDES
19	PICTURES AND DRAWINGS OF THE POTTED FLORAL SPONGE FOAM.
20	as shown in EXHIBIT 2,3 pages // AND IN COMPLAYAT.
21	Garden Ridge has infringed both PETER CHRISTIAN
22	CHARLES ROPER'S U.S. PATENT AND 5 COPYRIGHTS TXU69-514
23	granted in May 22,1981 , 27 Years, and Copyright
24	£xu141 -593 granted Jan 24, 1983. Peter christian Roper
25	requests that Motion to Dismiss be denied; AND He Be
26	COMMENSATED \$ 5 MILLION DOLLARS ORA JURY TRIAL
27	and a B Tautaho
_ 1	Off CAustin CHarles Roge FOB11, 200

C	COUNT I Compensation for Patent Infringement in Title 35U.S.C
I.	SEC. 27I, 284
2.	(1) The Plaintiff, Peter Christian Charles Roper, Owner and
3.	Inventor of U.S. Fatent 4,713,909 request the U.S.Court of
4.	Of Appeals, Honorable Judges, hearty Jury members to rule: "
5	for the Appellant and have the Appellee, GARDIN RIdge
6	pay Peter Christian Charles Roper \$ 5 Million Dollars
7.	Compensation for Patent Infringement Damages caused by GARDEN
8	Ridge Discrimination, willful and intentional infringement by mak-
9	ing, selling Billions of Units of FLORAL FOAM SPONGES, and
16	FLORAL FOAM SPONGE FLOWER POTS protected in the Claims and
II I2 (Fig 9 of Apellant Peter C Roper's U.S. Patent 4,713,909 . Exhibit, I , Page 13, or whatever necessary amount for 6 years. COUNT 2 The Appellant, Peter Christian Charles Roper, Owner
I3	of U.S. Patent 4,713,909 request the Honorable Judges for
T 4	U.S. Court of District of Pakause. , respectable Jury Menbers
1 5 [.]	to rule to have garage Roge, Pay Peter Christian Roper
I 6	\$ 5 Million Dollars in Patent Royalties for makling, and
17	selling Millions of Units of Floral Foam Sponge Combinations
I8	with Cloth Silk Flowers, and POTTED FLORAL Foam Sponge-, Cloth
19	Silk Flower combinations in Peter Roper's U.S. Patent4,713,909
20	from 1979-2004, 26 years or from 1999-2004 or whatever nec-
2 T	essary amount within Title 35 U.S.C. Sec. 271 which states
2 2 °	'NO PATENT OWNER SHALL BE DENIED RELIEF' .Exhibit , Page
23 0	COUNT 3 3 The Appellant, Peter Christian Charles Roper, request
24:	The U.S. Court Judges, respectable Jury to rule to
25	have CARON Ridge pay The Appellant, Peter Christian Charles
26	Roper \$ 5 Million dollars for Business Losses caused by GARDON
27	Maye, Stores infringement of his patent or whatever nec-
28	essamy amount in Title 35 H.S.c. Sec., 27T. 284

Case 1:06-cv-00723-GMS Document 9 Filed 02/13/2007 Page 5 of 16 COUNT 4 Triple Damages Fatent Compensation Title 35 U.S.C. Sec. 284

- I. (4) The Apellant, Peter Christian Charles Roper, request the Hon-
- .2. rable Judges in The U.S. Court polynome, respectable Jury
 - Members to rule for Peter Christian Roper and have the Appell-
- 4 ee , GARD on Riche pay him \$10 Million in TRIPLE Damages for
- 5 infringement of Peter Roper's U.S. Patent 4,713,909 by making
- 6 and selling millions of units of Floral FOAM SPONGES AND
- 7 FLOWER POTTED FLORAL FOAM SPONGES, protected in his U.S. Patent. for I7years from 1987 to 2004 Exhibit L. Page reverse Lower Court 8 COUNT 5
- 9 (5) The Appellant, Peter Christian Roper, requests the Honorable
- IO Judges in the U.S. Court pelaware, respectable JURY to have
- II 9ARDen Kidge Pay him \$ 5 Million or 10% Post Judgement Interest
- 12 and 10% Pre- Judgement Interest from 1998-2004 Title 35 U.S.C. 284
- 13COUNT 6 The Appellant, Peter Charles Christian Roper, Original
- 14 Writer and Owner of Copyright Txu-69-514 'United Space of America'
- 15 a valid Copyright registered on May 21, 1981 in The Register
- 16 Of Copyrights, Library Of Congress, Washington, D.C. requests
- 17 the Honorable U.S. Court of Appeals Judges, respectable JURY
- 18 to have GALOM Kilgar Pay him \$5 Million Dollars Compensation
- 19 for Copyright Infringement Damages for Commercially advertising
- 20 Millions of Pages with Expressions and Descriptions of Floral
- 2T Foam Sponges, and Flower Pots with Floral Foam Sponges and
- 22 Cloth Silk Flower Fabric combination protected in his Copyright
- 23 Txu-69-514 on Their GARDEN Ridge INTERNET WEBSITE, CAtchegs,
- 24 Books Magzines, Flyers, printing, publications, etc.
- 25 to Millions of Consumers in 44 Stones in 13 States for
- 26 24 Years from 1981 to 2005 during his Copyright within Title 17
- 27 U.S.C. Sec. 504. GARDEN Ridge has earned \$1.6 Billion per year
- In Gross Income in Duns and Bradstreet Report Exhibit 12, Page 41 and Reverse Lower Court.

(7)

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Compensation for Copyright Infringement Title I7U.S.C 504
      The Appellant, Peter Charles Christian Roper, Original Writer,
   and Owner of Copyright Txu-I4I-593 'Life In America JESUS Christian
    World Program : A TRILLION DOLLAR CAMPAIGN TO SAVE AMERICAN FARMERS'
    a Valid Copyright registered in U.S. Copyright Office, Library of
 5
   of CONGRESS, Washington, D.C. ON January 24, 1983 Exhibit, page
 6
   requests the Honorable Judges in The U.S. Court & Delaware
 7
                 Tay him, Peter Charles Roper, $
                                                   5 Million
 8
                                                               Compen-
    sation for infringing this Copyright Txu I4I-593 By Commercially
 9
   advertising for sale Millions of Pages with Expressions and Des-
IO)
   criptions of Floral Foam Sponges, Millions of Flower Pots with
II
   Floral Foam Sponges with Cloth Fabric Flowers in 77 to IOO varie-
12
   ties in overwhelming evidence in Exhibit 3, Page/3 to EXhibit 6, Page/6
   On their GARDON Ridge, COM INTERNET WBSITE, in the Nauspages
    Books, MAGAZNES, Flyers, Pristing etc. to Millions of
15
I Consumers, IN Catchops, WAH States for 23 years from
   1983 to 2005. GARDEN Redges has earned $I . 6 Billion in Gross Rev-
17
   per 2002,2003 DUNS and BRADSTREET Report Exhibit/2, Page 4/ EXABRI3,4:
I8
    and a Total of more than $ 33 Billion for 23 years. The Appellant.
19
   Peter Christian Charles Roper, request The Honorable U.S. Court
21
   to REVERSE THE LOWER COURT,
                                               COURTERRONEOUS Decision
22
   and grant COMPENSATION, AND A JURY TRIAL FOR THE APPellant.
   PETER CHRISTIAN CHARLES ROPER. or whatever amount the Court or
25 Jury may Rule necessary for Compensation for Copyright Damages
26 Compensation.
27
     Peter CHarle CHarles Repre- ( Hamlet
28
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United States Patent [19]

Roper et al.



[11] Patent Number:

4,713,909

[45] Date of Patent:

Dec. 22, 1987

[54] INDOOR AND OUTDOOR CLOTH FARM

[76] Inventors: Peter Roper, 957 E. 224th St., Bronx, N.Y. 10466; George Spector, 233

Broadway, 3615 Woolworth Bldg.,

New York, N.Y. 10007

[21] Appl. No.: 363,292

[22] Filed: Mar. 29, 1982

Related U.S. Application Data

[63] Continuation of Ser. No. 905,475, May 12, 1978, abandoned.

47/65, 39, 67, 78, 17, 76

[56] References Cited
U.S. PATENT DOCUMENTS

Primary Examiner-Robert E. Bagwill

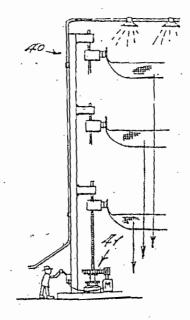
Attorney, Agent, or Firm-Peter Roper; George Spector

57] ABSTRACT

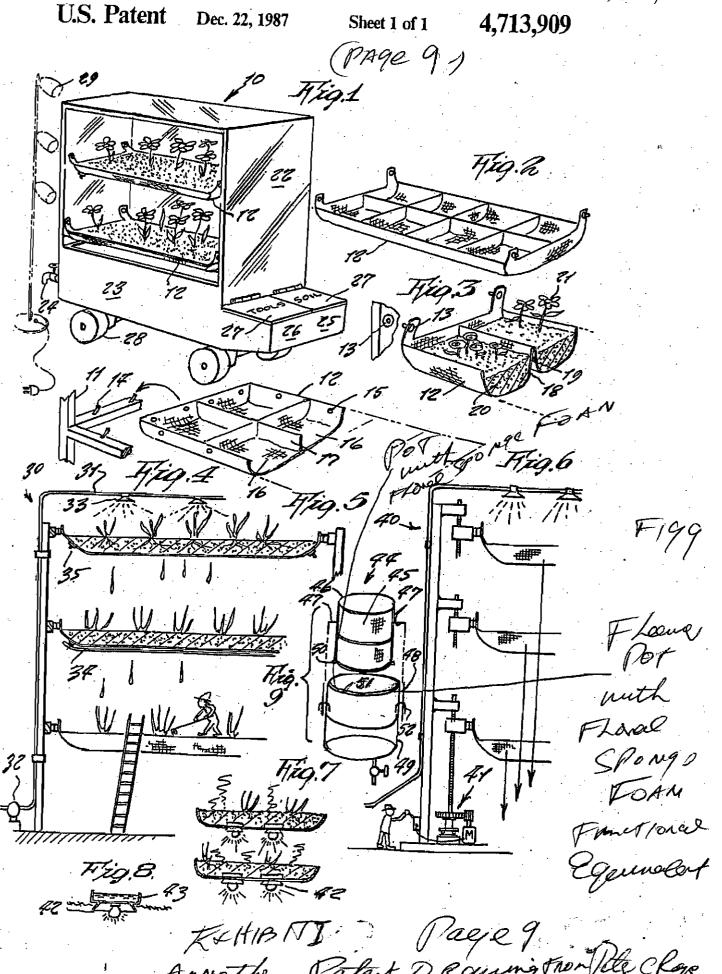
A farm structure for growing plants or crop in a small area or increasing an area for farming, composed of several tiers of cloth, one above another, each cloth supporting a quantity of earth in which plants are growing; water used in watering plants on the uppermost tier, dripping downward successively through at the tiers, so to water the plants in each tier; extra layers of cloth snapped under any tier for greater water retention, flood lights under each tier, giving light to plants in a tier therebelow and warming a soil thereabove, and an elevator mechanism for lowering the tiers of a large outdoor model, so that harvesting can be done more efficiently at a ground level.

4 Claims, 9 Drawing Figures

EXHIBIT 1



Pexter CHRISTIAN ROPE/ U.S. Patent 4,713,909



EXHIBAT

4,713,909

INDOOR AND OUTDOOR CLOTH FARM

This is a continuation of application Ser. No. 905,475, filed May 12, 1978, now abandoned.

This invention relates generally to miniature farms. A principal object of the present invention is to provide a miniature farm in which plants are grown in tiers one above another, so to require less ground area.

Another object is to provide a miniature farm in which each tier includes a horizontal cloth holding a quantity of earth in which the plants grow, and irrigation water provided to the plants in the uppermost tier, dripping therethrough and through successive tiers therebelow, so to water all the plants in each tier with a single watering at the top.

Another object is to provide a cloth farm which may be made on either a small or large scale for indoor or outdoor installation.

Still another object is to provide a cloth farm wherein extra cloths snapped under a tier gives greater water 20 retention in the tier, as needed by plants.

Still another object is to provide a cloth farm in which flood lights under a tier for plants therebelow also serves to give moist heat to roots of plants thereabove

FIG. 1 is a perspective view of a small indoor model 25 of the invention.

FIG. 2 is a perspective view of one of the cloth platforms shown above.

FIG. 3 is an enlarged detail thereof so to illustrate the

snap fasteners that support it.
FIG. 4 shows another design of cloth platform support consisting of eyelets on the cloth and hooks on the

FIG. 5 is a side view, partly in cross section, of a large commercial out-of-door model.

FIG. 6 is a detail of another out-of-door model in which the platforms can be lowered for purpose of seeding, hoeing or harvesting more conveniently and safely at ground level.

FIG. 7 is a cross section of another design of cloth 40 platform, in which electric lights underneath serve to provide light for plants in a next lower cloth platform, the light also serving to heat and humidify water in the soil thereabove, so to create improved environment for the growing plants.

FIG. 8 shows the lamp of FIG. 7 above, and indicates 45 a pan thereabove to catch some water which it heats and vaporizes.

FIG. 9 is a view of another design of the invention in which a cloth pot is held in on inner shell supported over an outer shell.

Referring now to the drawing in greater detail, and more particularly to FIGS. 1 through 4 thereof at this time, the reference numeral 10 represents a cloth farm according to the present invention, which is of indoor type. It includes a frame 11 that supports several tiers of 55 cloth 12, one above the other, either by means of interconnecting snap fasteners 13 on the frame and cloth corners, or by means of pegs 14 on frame hooking into grommet openings 15 along the cloth edges.

The cloth may be stitched so to form individual compartments 16 by means of cloth partitions 17 therebetween or simply by upward folds 18 supported over beams 19 of the frame. Soil 20 is placed on the supported cloth to a depth sufficient for growing the plants

The model of cloth farm shown in FIG. 1 includes 65 enclosing partitions 22 around sides thereof, which may comprise mirrors so to reflect the images of flowers growing therein for a more rich display. Outer sides of

partitions may be decorated with designs or paintings, as preferred.

Beneath a lowermost tier, a tank 23 serves to catch and hold the dripped water for re-use conservation. A spigot 24 is provided for draining water from the tank. The frame also encloses a bin 25 for extra soil and a bin 26 for tools, the bins being closable by hinged covers 27. The frame is supported upon wheels 28 so that the cloth farm can be moved between different areas of a house.

A nearby floor lamp 29 gives light to plants on the different tiers.

In FIG. 5 a cloth farm 30 is large so to be for outdoor use, and includes the above described cloths and frame for the soil and plants. In this design water to the uppermost tier is provided through watering system 31, in which a motor-driven pump 32 delivers water to sprinklers 33.

FIG. 3 also clearly shows that additional cloths 34 can be snapped to the underside of cloth 12 by means of snap fasteners 35 for increasing water retention in a tier.

In FIG. 6, an outdoor cloth farm 40 is the same as outdoor cloth farm 30 except that a mechanism 41 is included for each tier, so to lower the same to a ground level at time of harvesting so to be more convenient.

In FIGS. 7 and 8 illuminating lamps 42 secured to underside of a cloth, give light to plants in a tier therebelow. A pan 43 integral with the lamp frame serves to hold downward draining water in the soil, so that heat from the lamp therebelow heat the water so to humidify the soil in a warmed manner and thus promote better root growing conditions.

In FIG. 9 there is shown another design 44 of the invention that includes cloth pot 45 in an inner shell support frame 46 having sideward arms 47 placable in grooves 48 of an outer shell 49. Snap fasteners 50 are along a lower edge of the frame 46. The outer shell includes a sponge lining 51 and also includes locks 52 at bottom of grooves 48 so to lock the arms 47 therein. A saucer 49 is at the bottom of the outer shell, and a spigot 50 therebeneath serves to drain water out therefrom.

In the present invention, the food or flower production formula of D/R=M, applies wherein D equals a depth (of soil), R equals root length and M equals the multiplier Factor to determine the number of plantings possible for each type plant.

What is claimed as new is:

1. A plant cultivator comprising a cloth structure adapted to hold cultivating material for growing plants with means for varying retention of irrigating liquid in said cultivator in combination with means for supporting said structure in horizontal position at various elevations above a base surface wherein said structure includes a plurality of vertically spaced superimposed sections, first said means comprising removable cloth layers.

2. A cultivator as in claim 1 second said means comprise movable supports for each section, said supports being driven by a mechanism to position said sections at variable elevations, wherein said supports are mounted on vertical members.

3. A plant cultivator comprising a structure supporting moveable vertically spaced superimposed cloth layers, adapted to hold cultivating material for growing plants, wherein each layer comprises removeable sec-

4. A cultivator as in claim 3, wherein said structure further comprises movable supports for each layer, said supports being driven by a mechanism to position said layers at various elevations wherein said supports are mounted on vertical members.

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Page. 10

Continuation of Repush and tent

This Certificate issued under the seal of the Copyright
Office in accordance with title 17, United States Code,
attests that registration has been made for the work
identified below. The information on this certificate has

attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Margheth Getter

Register of Copyrights, United States of America

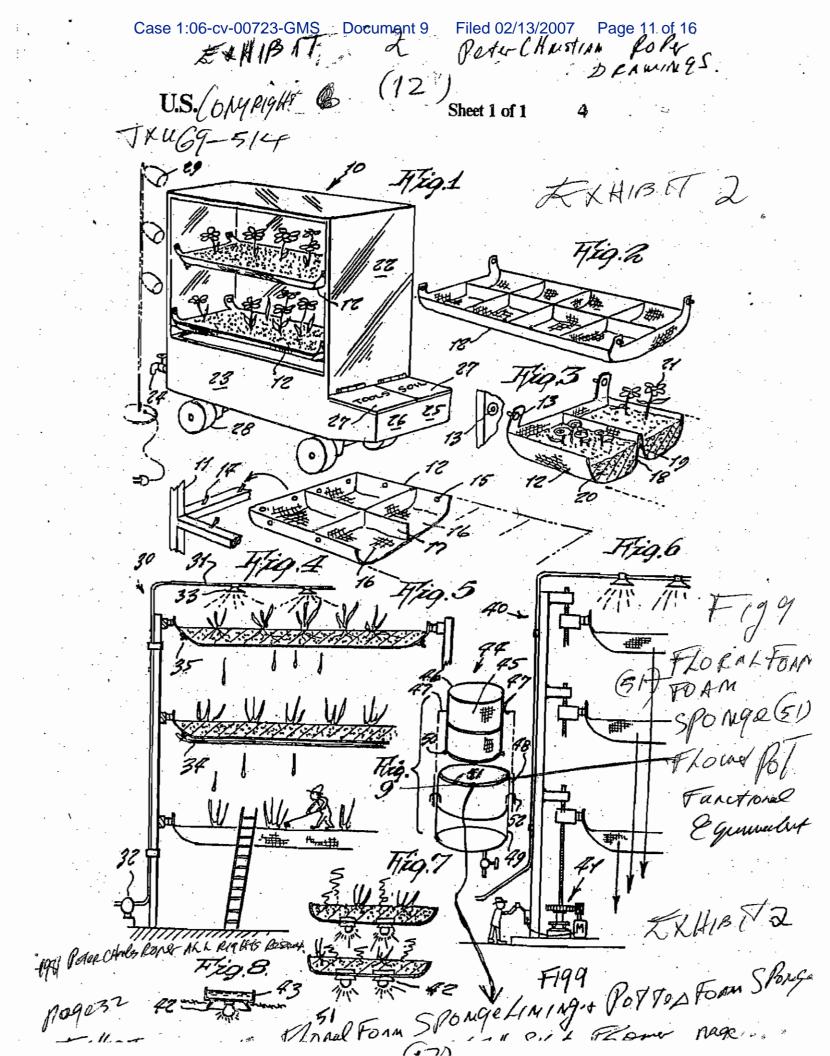
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EXHIBA Z rage11



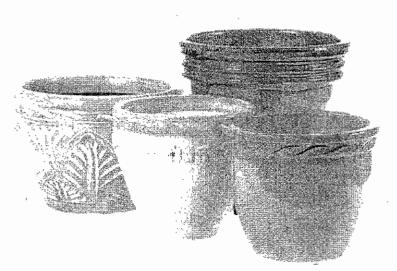
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Articles

HOME DECOR SEASONAL KITCHEN, BED & BATH FLORAL & GREENERY BRIDAL & PARTY CRAFTS PATIO & POTTERY ART, 5



When warmer weather hits, you'll want to outdoor celebrations and relaxing in your paradise. Garden Ridge is your one-stop he fabulous patio furniture and outdoor cushillounges to an assortment of tables and chind the style that suits you best. And we year-round to bring you the most unique a decorative pottery. With choices ranging for the exotic, our pottery does so much more Add a dash of imagination and you could toutdoors into your own paradise — without country!

Featured This Week! Jaw-Droppin Potterv

Save 50% on st pottery, 11-14 i 9,99). Also save coramic potter sale 9,99). Find i essentials at Gar

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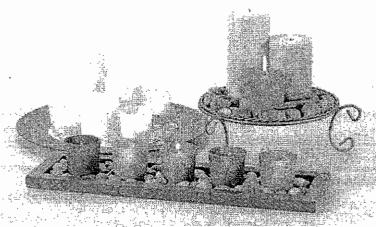


HOME DECOR SEASONAL KITCHEN, BED & BATH FLORAL & GREENERY BRIDAL & PARTY CRAFTS PATIO & POTTERY ART, N

This Week's Ad

Store Locator

Store Events Sp



We do not offer online or catalog shopping. To browse through our huge assortment of home décor accents, please visit your local Garden Ridge store.



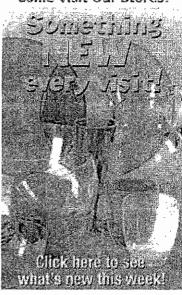
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Find beaut stems and to 50% o gorgeous t Garden, Ro and Flower collections

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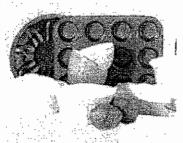


Great Patio Sets At Amazing Prices

For an incredible \$299, you can take home the La Plata 5-pc. Resin Wicker Set, the Glenridge 5-Pc. Wrought-Iron Patio Set (shown), the Sterling 5-Pc. Steel Patio Set, or the Avalon 5-Pc. Cushioned Steel Patio Set.

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Store Locator

Store Events

Our Stores

To find stores in your state simply enter your ZIP code or click on the map below. Finding our stores is easy; it's finding your way out once you're there that's the hard part!

Regular Store Hours:

Monday - Saturday 9 a.m. - 9 p.m. Sunday 9 a.m. - 7 p.m.



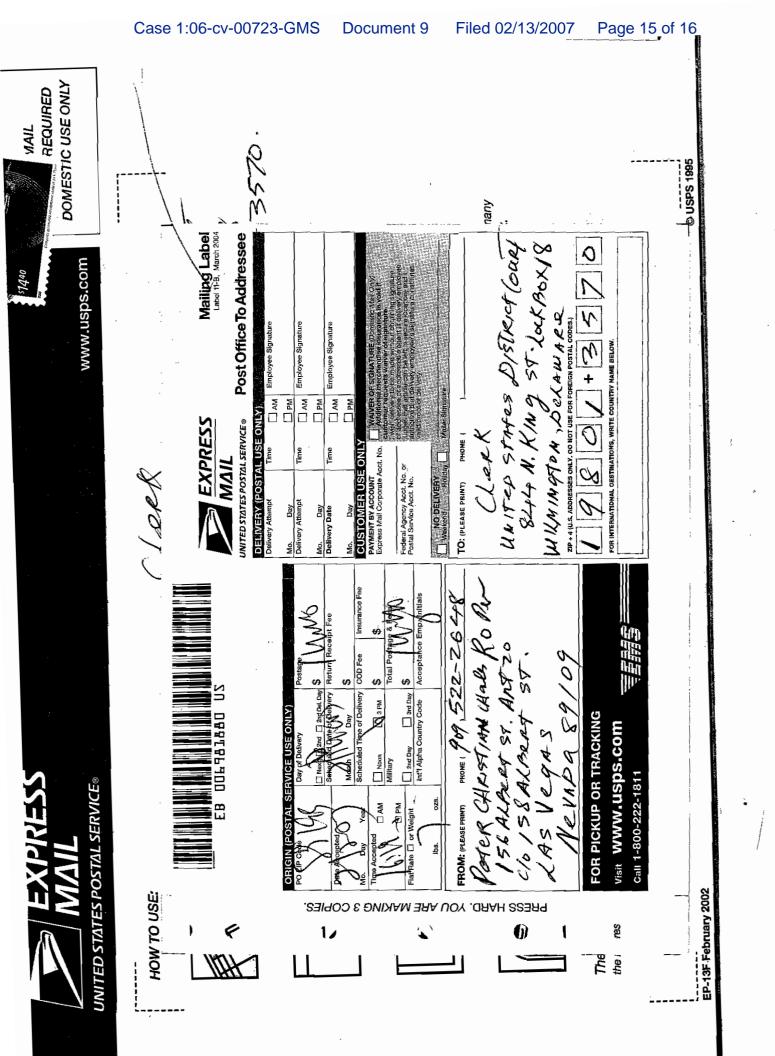


We have stores in: AR, FL, GA, IL, KY, MO, NC, OH, OK, SC, TN, TX, VA

Online Registration

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to Deny Garpen Ridgers Motion to DISMISS

AND (2) Request For Juny JRIN AND Juny DOMAINA.

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